HON'BLE SRI JUSTSICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 26006 of 2007

06.12.2007

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Between:

Smt. Faqrunnisa Begum

… Petitioner

AND

Greater Hyderabad Municipal Corporation,
Rep. by its Commissioner, Hyderabad & others

… Respondents

Counsel for the petitioner : Sri Mohd. Zia-Ul-Haque

Counsel for respondent Nos. 1 and 2: Mrs. Ayesha for
Smt. Kalpana Ekbote

O R D E R:

This writ petition is filed for a writ of mandamus to declare the action of the respondents in not initiating the proceedings for acquiring the petitioner's land in premises bearing No. 10-2-510/C situated at Asif Nagar, Hyderabad as illegal and contrary to the provisions of Section 147 of the Hyderabad Municipal Corporations Act, 1955 (for short, 'the Act')

Heard Sri Mohd. Zia-Ul-Haque, learned counsel for the petitioner and Smt. Ayesha, learned counsel representing Smt. Kalpana Ekbote, learned Standing Counsel for the respondents.

At the hearing, Smt. Ayesha submitted that the petitioner's apprehension that the property will be acquired without initiating the proceedings under Section 147 of the Act is misplaced. She says that

unless the petitioner is agreeable for surrendering the land under the provisions of Section 146 of the Act, the respondents will not deprive her of the property without initiating proceedings under Section 147 of the Act.

This statement of the learned counsel for the respondents is placed on record and the writ petition is accordingly disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No. 33923 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

06.12.2007
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